TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office

March 15, 1999 LB 150

your bill, because some part of this has to be some consumer responsibility also. So the subscriber opens up their bill. They find out they have a different carrier. It's not the one They haven't gone through the verification they authorized. They call and report the slam. They ask to be switched back and at that time then the unauthorized carrier shall remove all charges for the first 30 days if they have proof of verification. And Senator Bromm had walked you through some of that. Again, there is a difference. As I said, the FCC has continued to change rules and regs and so there is an updated amendment coming up with Senator...that Senator Landis has proposed. Again then, when the subscriber has paid, that also deals with consumer liability and who would be responsible for those charges, those unauthorized charges as well as the charges that it will cost to put you back to your authorized Getting back though to the intent of the bill, and I carrier. think probably the important part of that is what Senator Bromm was discussing, has to do with what the local charge will now be, and that...that has to do with the Public Service Commission and their role, and I think it's very important. In Section 8 says the Public Service Commission will be able to impose an administrative penalty for a violation of the Telephone Consumer Slamming Prevention Act. Currently right now, if you're slammed what can you do? Well, you can make a complaint with the FCC. Secondly, you can go to the Public Service Commission, but they do not have penalty provisions now and basically they use their persuasive authority. You can go to the Attorney General. Attorney General really doesn't have the power to penalize the companies and they can't because they're not the damaged party, and so they also use a voluntary complaint mediation. now, other than going to the FCC, you don't have a lot of options out there and it's probably just you and you're a little frustrated, and so what this bill will set into place is the Public Service Commission, allowing them to take on this role of consumer protection. The way that they will look at this is through the rules that they will set up. They will look at the serious (sic) of the violation and, as you'll see on page 4, talks about a history of previous violations, amount necessary to deter future violation, and so on and so forth. The important thing that it does, though, is on page 5. It establish (sic) and administers a slamming complaint system for subscribers of telecommunications services and enforces the